

ORIGINAL

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Attorneys for WAILUKU COUNTRY ESTATES IRRIGATION CO. and
WAILUKU COUNTRY ESTATES COMMUNITY ASSOCIATION, INC.

COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII

Surface Water Use Permit Applications,
Integration of Appurtenant Rights and
Amendments to the Interim Instream Flow
Standards, Na Wai Eha Surface Water
Management Areas of Waihee, Waiehu,
Iao and Waikapu Streams, Maui

Case No. CCH-MA 15-01

**WITNESS LIST and CERTIFICATE
OF SERVICE**

2016 FEB -5 AM 6:26

WITNESS LIST

PARTIES: WAILUKU COUNTRY ESTATES IRRIGATION CO. and
WAILUKU COUNTRY ESTATES COMMUNITY ASSOCIATION, INC.

No.	NAME / ORGANIZATION / POSITION	SUBJECT	EXHIBIT(S) (2189-WCEIC)
1	Dayoan, Alberto Parcel owner	Support and preparation of existing and/or new surface water use permit applications.	8, 284
2	Haake, Kathy Parcel owner	[Same as above]	9
3	Salaguinto, Herminio Parcel owner	[Same as above]	10, 285
4	Dayoan, Danilo Parcel owner	[Same as above]	11, 286

No.	NAME / ORGANIZATION / POSITION	SUBJECT	EXHIBIT(S) (2189-WCEIC)
5	Ching, Stanley and/or Bertha Parcel owner	[Same as above]	12, 287
6	Kelso, T.S. Parcel owner	[Same as above]	13, 288
7	Teruya, Scott and/or Leina Parcel owner	[Same as above]	14, 289
8	Nguyen, Jennifer K. Parcel owner	[Same as above]	15, 290
9	English, Scott Parcel owner	[Same as above]	16
10	Gajonera, Edison Parcel owner	[Same as above]	17, 291
11	Willis, Mary Lynne and/or Benigno, Anthony Parcel owner	[Same as above]	18, 292
12	Okamura, Ritchie and/or Stella Parcel owner	[Same as above]	19, 293
13	Ballano, Eduardo and/or Lanie Parcel owner	[Same as above]	20, 294
14	Fong, William and/or Dyvette Parcel owner	[Same as above]	21, 295
15	Nguyen, Lethu and/or Marcy Parcel owner	[Same as above]	22, 296
16	Natividad, Eduardo Parcel owner	[Same as above]	23, 297
17	Forstinger, Elizabeth and/or Johann Parcel owner	[Same as above]	24, 298
18	Alvior, Ramon Parcel owner	[Same as above]	25, 299
19	Ramaya, Manuel Parcel owner	[Same as above]	26, 300
20	Fernandez, Rudy Parcel owner	[Same as above]	27, 301
21	Harris, Mona Parcel owner	[Same as above]	28, 302
22	Kaaa Jr., Melvin and/or Kathy Parcel owner	[Same as above]	29, 303
23	Domingo, Edwin and/or Celia Parcel owner	[Same as above]	30, 304
24	Nguyen, Anh and/or Hoang Parcel owner	[Same as above]	31, 305
25	Suehiro, Mark and/or Linette Parcel owner	[Same as above]	32, 306

No.	NAME / ORGANIZATION / POSITION	SUBJECT	EXHIBIT(S) (2189-WCEIC)
26	Watanabe, Wayne and/or Cecile Parcel owner	[Same as above]	33, 307
27	Ueki, Michael and/or Ardis Parcel owner	[Same as above]	34, 308
28	Kamidoi, Burton Parcel owner	[Same as above]	35, 309
29	Yane, Charles and/or Annie Parcel owner	[Same as above]	36, 310
30	Lampitoc, Jose and/or Estrelita Parcel owner	[Same as above]	37, 311
31	Yanos, Romeo and/or Carmelita Parcel owner	[Same as above]	38, 312, 471
32	Failano, German and/or Evangeline Parcel owner	[Same as above]	39, 436
33	Bermudez, Reynaldo and/or Sally Parcel owner	[Same as above]	40
34	Barroga, Felipe and/or Norma Parcel owner	[Same as above]	41, 313
35	Hunt, Jon Parcel owner	[Same as above]	42, 314
36	Maenchen, Alan and/or Dorothy Parcel owner	[Same as above]	43, 315
37	Taketa, Eric N. and/or Sherri L. Parcel owner	[Same as above]	44, 316
38	DeForest, Andrew and/or Carol Parcel owner	[Same as above]	45, 317
39	Lopez, Fidel Parcel owner	[Same as above]	46, 438
40	Larson, Lonnie D. Parcel owner	[Same as above]	47, 318
41	Pimentel, Moses and/or Jennifer Parcel owner	[Same as above]	48, 319
42	Gomes, Mason Parcel owner	[Same as above]	49
43	Hamai, Clyde and/or Gail Parcel owner	[Same as above]	50, 320
44	Moniz, Audrey Parcel owner	[Same as above]	51, 321
45	Dela Cruz, Erminio Parcel owner	[Same as above]	52, 322
46	Allado, Honey and/or Heizel Parcel owner	[Same as above]	53, 323

No.	NAME / ORGANIZATION / POSITION	SUBJECT	EXHIBIT(S) (2189-WCEIC)
47	Orite, Howard and/or Sun Cha Parcel owner	[Same as above]	54, 324
48	Obrero, Arthur and/or Agnes Parcel owner	[Same as above]	55, 325
49	Reddy, Veda and/or Rajalakshmi Parcel owner	[Same as above]	56, 326
50	Ped, Richard and/or Isabel Parcel owner	[Same as above]	57, 327
51	Wright, Daneford and/or Ellareen Parcel owner	[Same as above]	58
52	Casio, Robert Parcel owner	[Same as above]	59, 123
53	Do, Kim Sa Thi Parcel owner	[Same as above]	60, 328
54	Agdeppa, Michael and/or Rolando Parcel owner	[Same as above]	61, 329
55	Chan, Kenneth Parcel owner	[Same as above]	62, 330
56	Riglos, Shauna and/or Junwill Parcel owner	[Same as above]	63, 331
57	Powell, Steven Parcel owner	[Same as above]	64, 332
58	Shimada, Robert and/or Penny Parcel owner	[Same as above]	65, 333
59	Tom, Jefferson Parcel owner	[Same as above]	66
60	Kadohiro, Glenn Parcel owner	[Same as above]	67, 334
61	Delgado Jr., Carlos M Parcel owner	[Same as above]	68, 335
62	Mincavage, David and/or Trixie Parcel owner	[Same as above]	69, 336
63	Watanabe, Duane and/or Kelly Parcel owner	[Same as above]	70, 337
64	Shibley, Tal Parcel owner	[Same as above]	71, 338
65	Chan, Henry and/or Patsy Parcel owner	[Same as above]	72, 339
66	Paet, Bernard Parcel owner	[Same as above]	73, 340
67	Medina, Luz Patricia Parcel owner	[Same as above]	74

No.	NAME / ORGANIZATION / POSITION	SUBJECT	EXHIBIT(S) (2189-WCEIC)
68	Theros and/or Bachand Parcel owner	[Same as above]	75, 444
69	Redfern, Phyllis Parcel owner	[Same as above]	76, 341
70	Naruse, Wayne and/or Joyce Parcel owner	[Same as above]	77, 342
71	Hashimoto, Al and/or Henrietta Parcel owner	[Same as above]	78, 343
72	Shimada, Virginia Parcel owner	[Same as above]	79, 445
73	Pauvert, Jacques Parcel owner	[Same as above]	80, 344
74	Tanaka, Randall and/or Dawn Parcel owner	[Same as above]	81, 345
75	Emmsley III, Thomas K and/or Ann N Parcel owner	[Same as above]	82, 346, 473
76	Carter, George Parcel owner	[Same as above]	83, 347
77	Ireland, Samuel Parcel owner	[Same as above]	84, 348
78	Pasalo, John and/or Esmenia Parcel owner	[Same as above]	85, 349
79	Craddick, David and/or Flo Parcel owner	[Same as above]	86
80	Potratz, Daniel and/or Janlisa Parcel owner	[Same as above]	87
81	McGregor, David and/or Elizabeth Parcel owner	[Same as above]	89, 90, 351, 352
82	Giang, Janny Parcel owner	[Same as above]	91, 353
83	McElliot, Michael Parcel owner	[Same as above]	92, 354
84	Short, Mark Elliott Parcel owner	[Same as above]	93, 355
85	Otomo, Stacy Parcel owner	[Same as above]	94, 356
86	Kuwada, Susan Y. Parcel owner	[Same as above]	95, 357
87	Lee, Geoffrey Parcel owner	[Same as above]	96, 358
88	Martino, Gregory Parcel owner	[Same as above]	97, 359

No.	NAME / ORGANIZATION / POSITION	SUBJECT	EXHIBIT(S) (2189-WCEIC)
89	Lanoza, Abraham and/or Denise Parcel owner	[Same as above]	98
90	Della, Floro Parcel owner	[Same as above]	99, 360
91	Yanagida, Joy M. Parcel owner	[Same as above]	100, 361
92	Tamashiro, Casey Parcel owner	[Same as above]	101
93	Kane, Dain P. Parcel owner; President, Wailuku Country Estates Community Association; President, Wailuku Country Estates Irrigation Company	Support and preparation of existing and new surface water use permit applications; matters relating to Wailuku Country Estates agricultural development, Wailuku Country Estates Community Association, and Wailuku Country Estates Irrigation Company; authentication of documents.	1-7, 102, 221- 238, 243a, 251- 254, 258-259, 261-267, 283, 450, 469
94	Burkle, Alan and/or Debbie Parcel owner	Support of existing and/or new surface water use permit applications.	103, 362
95	Yoshikawa, Hisajiro and/or Lisa Parcel owner	[Same as above]	104
96	Leis, Stephen Parcel owner	[Same as above]	105, 363
97	Pacheco, Henry and/or Valerie Parcel owner	[Same as above]	106, 364
98	Skrbec, Karol and/or Joy Parcel owner	[Same as above]	107, 365
99	Ammerman, Jon and/or Stacy Parcel owner	[Same as above]	108, 366
100	Garcia, Dionicio and/or Elisa Parcel owner	[Same as above]	109
101	Ly, Micki Parcel owner	[Same as above]	110, 367
102	Ramos, Felipe and/or Pacita Parcel owner	[Same as above]	111
103	Shimada, George Parcel owner	[Same as above]	112, 368

No.	NAME / ORGANIZATION / POSITION	SUBJECT	EXHIBIT(S) (2189-WCEIC)
104	Carlson, Kent Parcel owner	[Same as above]	113, 369, 470
105	Gauthier, Paul Parcel owner	[Same as above]	114, 370
106	Moulton, Susan Naylor Parcel owner	[Same as above]	115, 371
107	Calder, Margi Parcel owner	[Same as above]	116, 372
108	Brescan, Ovidiu and/or Simona Parcel owner	[Same as above]	117, 373
109	Kono, Clyde and/or Jean Parcel owner	[Same as above]	118, 374
110	Leis, Timothy Parcel owner	[Same as above]	119, 454
111	Bravo, Danilo and/or Tess Parcel owner	[Same as above]	120, 375
112	Stahl, Peter and/or Candace Parcel owner	[Same as above]	121, 376
113	Galam, Liberato and/or Polly Parcel owner	[Same as above]	122
114	Borge, Leona Parcel owner	[Same as above]	124, 377
115	Rollinson, Germaine Parcel owner	[Same as above]	125, 378
116	Reinhardt, Edward and/or Gail Parcel owner	[Same as above]	126, 379
117	Kato, Kevin Parcel owner	[Same as above]	127, 380
118	Alfonso, Daniel and/or Laura Parcel owner	[Same as above]	128
119	Chau, Jason Parcel owner	[Same as above]	129, 381
120	King, Maury Parcel owner	[Same as above]	130, 382
121	Sisouvong, Sane and/or Lienne Parcel owner	[Same as above]	131, 383
122	Rayray, Feliciano and/or Jovita Parcel owner	[Same as above]	132, 384
123	Gaddis, Brandy Parcel owner	[Same as above]	133, 458
124	Kaya, Frederick K. Parcel owner	[Same as above]	134, 152, 385, 400

No.	NAME / ORGANIZATION / POSITION	SUBJECT	EXHIBIT(S) (2189-WCEIC)
125	Haynes, Thomas and/or Rene Parcel owner	[Same as above]	135, 386
126	Tsuji, Keith and/or Joan Parcel owner	[Same as above]	136
127	Watanabe, Lloyd and/or Helen Parcel owner	[Same as above]	137, 387
128	Nghiem-Boun, Thanh and/or Hong P Parcel owner	[Same as above]	138, 388
129	Cirimelli, Richard and/or Cecilia Parcel owner	[Same as above]	139, 389
130	Rosario, Erlinda Parcel owner	[Same as above]	140, 390
131	Oishi, Anne Parcel owner	[Same as above]	141, 391
132	Herrera, Epifanio D. Parcel owner	[Same as above]	142, 460
133	Blackburn II, Joseph; Parcel owner; President, Maui Land Broker and Property Management, Inc.	Support and preparation of existing and new surface water use permit applications; support and preparation of appurtenant rights claims; matters relating to Wailuku Country Estates agricultural development, Wailuku Country Estates Community Association, and Wailuku Country Estates Irrigation Company; authentication of documents.	1-238, 243a, 245-254, 257- 259, 261-269, 276-283, 350, 392, 143, 88, 476
134	McKiernan, Paul Parcel owner	Support and preparation of existing and/or new surface water use permit applications.	144, 393
135	Miller, Mark and/or Estelita Parcel owner	[Same as above]	145, 394
136	Xiao, Shao and/or Chen Parcel owner	[Same as above]	146, 461
137	Xiao, Mei Wei Parcel owner	[Same as above]	147, 395
138	Goodfellow, J. Stephen Parcel owner	[Same as above]	148, 150, 396, 398

No.	NAME / ORGANIZATION / POSITION	SUBJECT	EXHIBIT(S) (2189-WCEIC)
139	Crawford, Lucretia and/or Sandra Parcel owner	[Same as above]	149, 397
140	Pham, Lucy Parcel owner	[Same as above]	151, 399
141	Representative / Custodian of Records Enterprises LLC, HR3 Parcel owner	[Same as above]	153, 401
142	Cahill, Peter and/or Jessica Parcel owner	[Same as above]	154, 402
143	Endo, Randal and/or Patti Parcel owner	[Same as above]	155, 403
144	Kitagawa, Virginia N. Parcel owner	[Same as above]	156, 404
145	Miyoshi, Paul Parcel owner	[Same as above]	157, 158, 462, 463
146	Irani, Farrokh and/or Pamela Parcel owner	[Same as above]	159, 255-256, 401
147	Mosle, Barbara Parcel owner	[Same as above]	160, 406
148	Waki, Van and/or Aileen Parcel owner	[Same as above]	161, 407
149	Egusa, Alan Parcel owner	[Same as above]	162, 408
150	Santiago, Jerry and/or Nancy Parcel owner	[Same as above]	163, 464
151	Jacintho Sr., Ronald Parcel owner	[Same as above]	164
152	Stisher, Britton and/or Susan Parcel owner	[Same as above]	165, 409
153	Mousavi, Shahin Parcel owner	[Same as above]	166, 410
154	James, Kent and/or Teri Parcel owner	[Same as above]	167, 411
155	Ariota, Frank and/or Bella Parcel owner	[Same as above]	168, 412
156	Warren, James Parcel owner	[Same as above]	169, 413
157	Representative / Custodian of Records JCMA Enterprises, LLC Parcel owner	[Same as above]	170, 414
158	Carter, Timothy and/or Sonia Parcel owner	[Same as above]	171, 415

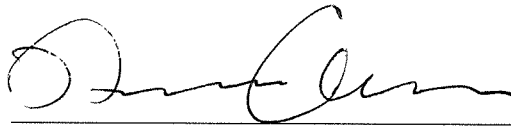
No.	NAME / ORGANIZATION / POSITION	SUBJECT	EXHIBIT(S) (2189-WCEIC)
159	Brown, Kathleen Parcel owner	[Same as above]	172, 416
160	Hatfield, Steven Parcel owner	[Same as above]	173, 417
161	Czerwinski, Roman and/or Jamie Parcel owner	[Same as above]	174, 418
162	Charbonneau, Jeff Parcel owner	[Same as above]	175, 419
163	Juan, Sibley and/or Zaida Parcel owner	[Same as above]	176, 420
164	Nouchi, Alan and/or Ann S Parcel owner	[Same as above]	177, 421
165	Pellazar, Catherine Parcel owner	[Same as above]	178, 422
166	Taylor, David Parcel owner	[Same as above]	179
167	Larson, Tylen Parcel owner	[Same as above]	180, 423
168	Tufty, Ted and/or Stuart Parcel owner	[Same as above]	181, 424
169	Wong, Malcolm and/or Junko Parcel owner	[Same as above]	182, 425, 468
170	Bach, Peter and/or Lisa Parcel owner	[Same as above]	183, 426
171	Dulay, Cesar and/or Tanya Parcel owner	[Same as above]	184, 427
172	Teraoka, Harold Parcel owner	[Same as above]	185, 428
173	Buendia, Marylou and/or Marie Parcel owner	[Same as above]	186, 429
174	Ting, Kiki Parcel owner	[Same as above]	187
175	Ralar Jr., Henry Parcel owner	[Same as above]	188, 430
176	Rumbaoa, Santos and/or Magdalena Parcel owner	[Same as above]	189, 431
177	Moniz, Audrey and/or Representative / Custodian of Records Shammah Ltd. Part(B) Parcel owner	[Same as above]	190, 432
178	Springer, Alexander Parcel owner	[Same as above]	191, 433

No.	NAME / ORGANIZATION / POSITION	SUBJECT	EXHIBIT(S) (2189-WCEIC)
179	Brito, Gary and/or Evelyn Kuleana Water User	Kuleana water users and water uses.	472
180	Pahia, Robert Dryland taro farmer	Support and preparation of existing and/or new surface water use permit applications.	475
181	Ane, Hoapili Dryland taro farmer	[Same as above]	
182	Unemori, Darren Warren Unemori Engineering, Inc.	Wailuku Country Estates common area swale and retention basin design.	225-226, 236, 251-253, 260
183	Nance, Thomas Hydrologist / Water Resource Engineer	Water alternatives analysis; quantification of requested surface water.	270, 271, 272
184	[RESERVED]		
185	Rowland, Doris	Authentication of Hawaiian language translations.	192-217, 219, 474
186	Nogelmeier, Puakea	Authentication of Hawaiian language translations.	218
187	Representative(s) / Custodian(s) of Records of Maui Department of Water Supply	Potable water supplied to Wailuku Country Estates; agreements with County of Maui; authentication of documents.	233, 236, 268
188	Representative(s) / Custodian(s) of Records of Wailuku Water Company	Water Services Agreement; non-potable water supplied to Wailuku Country Estates Irrigation Company; authentication of documents.	224, 230, 231, 232, 254, 263
189	Representative(s) / Custodian(s) of CGM, LLC	Agreements relating to potable and non-potable water for Wailuku Country Estates; development of Wailuku Country Estates as agricultural subdivision; authentication of documents.	225-226, 228-229, 231, 233-236

No.	NAME / ORGANIZATION / POSITION	SUBJECT	EXHIBIT(S) (2189-WCEIC)
190	Representative(s) / Custodian(s) of Commission on Water Resource Management	Interim instream flow standards for Na Wai Eha; amount of water available for offstream uses; analysis of appurtenant rights claims; field investigation of Wailuku Country Estates; authentication of documents.	1-219, 227, 232, 236-245, 247-250, 255-256, 258-259, 264-267, 276-283
191	Representative(s) / Custodian(s) of Records of Title Guaranty of Hawaii, Inc.	Research and identification of Land Commission Awards, Royal Patents and supporting documents relating to Wailuku Country Estates; support of appurtenant rights claims; authentication of documents.	192-214, 245-250, 243a
192	Representative(s) / Custodian(s) of Records of County of Maui, Department of Public Works and Waste Management	Wailuku Country Estates agricultural development subdivision approvals; agreements involving County of Maui; authentication of documents	224-226, 230, 236
193	All representatives and custodians of records as necessary to authenticate documents and other evidence.		
194	All lay and expert witnesses named by all other parties.		
195	All lay and expert witnesses named in all phases of this proceeding (including, but not limited to, the IIFS proceeding) as applicable.		
196	Rebuttal witnesses as warranted by evidence and further investigation and discovery.		
197	Witnesses that become apparent through further investigation and discovery.		

No.	NAME / ORGANIZATION / POSITION	SUBJECT	EXHIBIT(S) (2189-WCEIC)
198	Wailuku Country Estates Community Association and Wailuku Country Estates Irrigation Company reserve the right to qualify witnesses as expert witnesses in their respective areas of expertise.		
199	Wailuku Country Estates Community Association and Wailuku Country Estates Irrigation Company reserve the right to and amend this witness list and have witnesses testify on other matters and with respect to other exhibits as warranted by further proceedings, investigation and discovery.		

DATED: Honolulu, Hawai'i, February 5, 2016.



BRIAN A. KANG

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SUMMER H. KAIawe

Attorneys for Applicants

WAILUKU COUNTRY ESTATES IRRIGATION
COMPANY and WAILUKU COUNTRY
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 5, 2016, a copy of the foregoing document was served on the following parties by U.S. Mail, postage prepaid, or electronic service, as indicated below:

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Hawaiian Island Land Trust,
HILT
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Wailuku, HI 96793

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Patricia Federcell 88 S Papa Avenue, Apt. 404 Kahului, HI 96732-3307	Valentine Haleakala 2160 Puuohala Road Wailuku, HI 96793	Hiolani Ranch LLC P.O. Box 34167 San Diego, CA 92163
Rudy & Perlita Fernandez P.O. Box 330808 Kahului, HI 96733	Steve Haller 1060 East Kuiaha Road Haiku, HI 96708	Brian Ige RCFC Kehalani, LLC 2005 Main Street Wailuku, HI 96793
Roderick Fong Fong Construction Co., Inc. 495 Hukilike Street, Bay 4 Kahului, HI 96732	Robert Hamusa 895 Malaihi Road Wailuku, HI 96793	Greg Ibara 227 Kawaipuna Street Wailuku, HI 96793
Ronald Jacintho Pohakulepo Recycling, LLC 150 Pakana Street Wailuku, HI 96793	Karl & Lee Ann Harders 1422 Nuna Place Wailuku, HI 96793	Lawrence Koki 2585 Kahekili Highway Wailuku, HI 96793
Ronald Jacintho ROJAC Trucking, Inc. 150 Pakana Street Wailuku, HI 96793	Theodore & Zelig Harders 1415 Kilohi Street Wailuku, HI 96793	Nadao Makimoto 1480 Honoapiilani Highway Wailuku, HI 96793-5930
Amanda Jones Spencer Homes Inc. P.O. Box 97 Kihei, HI 96753	Clifford & Cristal Koki P.O. Box 442 Wailuku, HI 96793	Anthony Manoukian Anthony Aram & Downey Rugtiv Manoukian Tr. P.O. Box 1609 Waianae, HI 96792

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Kaanapali Kai, Inc. 2145 Wells Street; Suite 3301 Wailuku, HI 96793	Kenneth Kahalekai 240 Waihee Valley Road Wailuku, HI 96793	Kenneth Mendoza 2160-B Puuohala Road Wailuku, HI 96793-0463
Kaui Kahalekai 202 Waihee Valley Road Wailuku, HI 96793	Jonathon Kurtz Living Waters Land Foundations, LLC P.O. Box 2327 Wailuku, HI 96793	Lawrence Miyahira Jason Miyahira P.O. Box 762 Wailuku, HI 96793
Donald Kuemmeler RCFC Kehalani, LLC 555 California Street Suite 3450 San Francisco, CA 94104	Jane Laimana 45-520 Aolokahi Street Kaneohe, HI 96744	Elsie Miyamoto 1455 Miloiki Street Honolulu, HI 96825-3229
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